



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

633 E. Broadway, Suite 103
Glendale, CA 91206-4311
Tel. (818) 548-2140 Fax (818) 240-0392
glendaleca.gov

December 24, 2018

Daniel Padilla
15643 Sherman Way, Suite 170
Van Nuys, CA, 91406

**RE: 1129 VISCANO DRIVE
ADMINISTRATIVE EXCEPTION CASE NO. PAE1825987**

Dear Mr. Padilla:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Section 30.44.020(E) and Section 30.44.020 (B), the Community Development Department has processed your application for an Administrative Exception for:

- A) A maximum 20 percent deviation from one or more numeric standards to allow an existing garage to maintain a 17 feet, 0 (zero) inches depth and width, which is a 15 percent deviation from the minimum required 20-foot depth and width for interior garage dimensions per Section 30.32.180, Chart I of the Glendale Municipal Code in conjunction with a total floor area addition to the house of 138 square feet.
- B) To maintain an existing 3 feet, 10 inches interior setback where a minimum 5 feet, zero (0) inches interior setback is required per Section 30.11.030, Table 30.11-B of the Glendale Municipal Code in conjunction with legalization of a minor 68 square-foot floor area addition (side porch enclosure) to an existing single-family residence.

The residence is located at **1129 Viscano Drive**, in the "R1-II HD" - Low Density Residential Zone, Floor Area Ratio District II, Rossmoyne Historic District Overlay Zone and described as portion of Lot 14, Block 19 of Rossmoyne Tract, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION

The project is exempt from environmental review as a Class 1 "Existing Facility" per Section 15301 (e)(1) of the State CEQA Guidelines because the project involves minor additions to an existing single-family residence.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, all of the required three findings can be made in support of the application. The Director of Community Development has **GRANTED WITH CONDITIONS** your application based on the following findings:

A. The granting of the exception will result in design improvements, or there are space restrictions on the site that preclude full compliance with the Code requirements without hardship.

The subject property is a 6,298 square-foot regularly-shaped lot developed with a 1,747 square-foot, two-story, single-family residence with kitchen, dining, living, and two bedrooms on the first floor and a master bedroom on the second floor. There is a 324 square-foot non-conforming detached garage with a 684 square-foot carport attached to the garage on the site. The applicant is proposing to extend the existing second floor area within the existing attic space to include a new 70 square-foot master bathroom in conjunction with an interior remodel in order to improve the functionality of the second-floor master bedroom. The addition will not alter the exterior of the house.

Findings for A) In accordance with the Zoning Code, two parking spaces are required for floor area addition to a dwelling unit located in the R1 zone with a gross floor area up to 3,499 square feet. The applicant is proposing to remove the existing interior wall within the existing garage and replace the existing two garage doors with one 16-foot wide garage door in order to improve the functionality of the garage. With the proposed interior modification of the existing detached garage, the interior dimensions of the garage will be 17 feet by 17 feet and a new 16-foot wide garage door will replace the existing two garage doors; however, the garage size does not meet the Zoning Code requirement for a standard 20 foot by 20-foot two-car garage or a non-conforming two-car garage with a minimum interior dimensions of sixteen (16) feet wide by eighteen (18) feet deep. Providing a code compliant two-car garage to meet the parking standards in conjunction with a minor floor area addition (total of 138 square feet) would result in unnecessary hardship for the applicant. Furthermore, the house is a contributor to the Rossmoyne Historic District and the existing garage is visible from Viscano Drive. Construction of a new code compliant garage or expansion of the existing garage to meet the Zoning Code requirements will change the site planning of the property and will alter the architecture of the garage, which may impact and reduce the historic status and architectural integrity of the contributor. In addition, a new garage or expansion of the existing garage will alter the existing carport. According to the permit records, the carport was built in 1959 and features some specific architectural details, including decorative wood corbels and exposed posts and beams, appropriate and significant to the house.

Granting the administrative exception to maintain the existing non-conforming detached garage will result in design improvements since the proposed second floor addition will not alter the architecture of the house. Furthermore, the proposed addition will not reduce the level of historic integrity of the residence as a contributor to the Rossmoyne Historic District.

Findings for B) The applicant is also requesting to maintain the existing non-conforming 3 feet, 10 inches, interior setback along the south side of the house, where in accordance with Section 30.11.030, Table 30.11-B of the Zoning Code, a minimum five-foot interior setback is required in conjunction with legalization of a porch enclosure resulting in a minor 68 square-foot floor area addition. In order to comply with the Zoning Code requirement of minimum 5 feet, zero (0) inches, interior setback, the walls of the addition must be relocated to be out of the required setback. This will be architecturally inappropriate since the existing addition follows and blends into the Tudor Revival Style residence by flowing the building lines and architectural details. The addition is within the footprint of the house and covered by the roof of the original porch. Furthermore, the proposed minor addition (porch enclosure) has improved the functionality of the living spaces at the first floor for many years and requiring a minimum 5 feet, zero (0) inches interior setback for a minor addition restricts

reasonable use and improvement of the property. Granting the administrative exception to maintain the existing non-conforming interior setback of 3 feet, 10 inches will result in design improvements since the first floor addition (porch enclosure) is architecturally appropriate to the design features and style of the house. Furthermore, the proposed addition will not reduce the level of historic integrity of the residence as a contributor to the Rossmoyne Historic District.

B. The granting of the exception will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

Findings for A) Granting the administrative exception to maintain the existing non-conforming detached garage in conjunction with a total of 138 square-foot floor area addition to the existing residence will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood. The applicant is proposing to remove the existing interior wall within the existing garage and replace the existing two garage doors with one 16-foot wide garage door in order to improve the functionality of the garage. The existing garage with proposed modifications and proposed interior dimensions of 17-foot wide by 17-foot deep will be sufficient to fit two small cars. Therefore, the existing garage will continue to provide enclosed parking spaces for the residence. In addition, temporary parking is available on the approximately 86-foot long driveway. It is also not anticipated that off-street parking will be impacted by the proposed minor additions.

Findings for B) Granting the administrative exception to maintain the existing non-conforming interior setback of 3 feet, 10 inches, in conjunction with a total 138 square-foot floor area addition to the existing residence will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood. In regards to the side porch enclosure, the original side porch was enclosed years ago. It architecturally blends with the original house; however, a building permit was not obtained for the porch enclosure. The proposed legalization to add a minor 68 square feet of floor area at the first floor (porch enclosure) will result in a reasonable improvement of the property and address the needs of the family for a larger space while maintaining the exterior architecture of the house as a contributor in the adopted historic district.

C. The granting of the exception will not be contrary to the objectives of the applicable regulations.

The purpose of the administrative exception procedure is to provide a simplified means for considering applications for minor deviations from Code standards. These standards have been developed to allow reasonable use of properties in order to promote the public health, safety, and general welfare.

Findings for A) Granting the administrative exception to allow up to a 15% deviation from the minimum required 20 feet by 20-foot interior garage dimensions in conjunction with minor floor area additions (a total of 138 square feet) will allow reasonable development of the property that meets other zoning regulations without a significant change to the site layout and architecture of the house. The existing detached garage will continue to provide two enclosed parking spaces and the existing long driveway provides temporary parking spaces. Additionally, addition of a new 70 square-foot bathroom at the second floor and legalization of an enclosed 68 square-foot porch will not significantly affect the parking demand for the dwelling. Therefore, granting the exemption will not be contrary to the objectives of the applicable regulations.

Findings for B) Granting the administrative exception to maintain the existing interior setback of 3 feet, 10 inches for a side porch enclosure of 68 square feet, where a minimum 5 feet, zero (0) inches interior setback is required will allow a reasonable development of the property that meets other zoning regulations without a significant change to the site layout and architecture of the house. Therefore, granting the exemption will not be contrary to the objectives of the applicable regulations.

CONDITIONS OF APPROVAL

APPROVAL of this Administrative Exception shall be subject to the following conditions:

- 1) That the development shall be in substantial accord with the plans presented in conjunction with the application for the Administrative Exception, except any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Planning Hearing Officer.
- 2) That all necessary permits shall be obtained from the Building and Safety Division and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
- 3) That any expansion or modification of the dwelling which is different than what is represented as part of this Administrative Exception application, shall require a new application as determined by the Planning Hearing Officer.
- 4) That Historic Preservation Commission (HPC) approval/exemption shall be obtained prior to issuance of a building permit.
- 5) That the premises shall be maintained in a clean orderly condition, free of weeds, trash, and graffiti.

APPEAL PERIOD

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper City and public agency.

Under the provisions of the Glendale Municipal Code, Title 30, Chapter 30.62, any person affected by the above decision has the right to appeal said decision to the Planning Commission if it is believed that the decision is in error or that procedural errors have occurred, or if there is substantial new evidence which could not have been reasonably presented. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms within fifteen (15) days following the actual date of the decision. Information regarding appeals and appeal forms will be provided by the Permit Services Center (PSC) or the Community Development Department (CDD) upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **January 8, 2019** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 a.m. to 12:00 p.m., or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5 p.m.

APPEAL FORMS available on-line www.glendaleca.gov/appeals

GMC CHAPTER 30.41 PROVIDES FOR

TERMINATION

Every right or privilege authorized by an Administrative Exception shall terminate two years after the granting of such, unless the exercise of such right or privilege has commenced in good faith prior to such time, except as otherwise provided for.

CESSATION

An Administrative Exception may be terminated by the review authority upon any interruption or cessation of the use permitted by the Administrative Exception for one year or more in the continuous exercise in good faith of such right and privilege.

EXTENSION

Permits granted by such right or privilege may be requested one time and extended for up to a maximum of one additional year upon receipt of a written request from the applicant and demonstration that a reasonable effort to act on such right and privilege has commenced within the two years of the approval date. In granting such extension the applicable review authority shall make a written finding that neighborhood conditions have not substantially changed since the granting of the administrative exception.

TRANSFERABILITY

This authorization runs with the land or the use for which it was intended for and approved. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions and/or limitations of this grant.

VIOLATIONS OF THESE CONDITIONS

Violations of conditions required by this determination may constitute a misdemeanor or infraction under section 1.20.010 of the Glendale Municipal Code (GMC) and/or a violation of other local, State or Federal laws or regulations. Unless a specific penalty is provided, any person convicted of a misdemeanor shall be punished by a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment for a term not to exceed six months, or by both fine and imprisonment. Infractions are punishable by a fine not exceeding the sum of five hundred dollars (\$500.00) for each violation. Violations of conditions required by this determination may be grounds for a revocation.

REVOCATION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, conditional use permits and administrative exceptions. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of a variance at least 10 days notice by mail to the applicant or permittee.

NOTICE – subsequent contacts with this office

The Applicant is further advised that all subsequent contacts with this office regarding this determination must be with the Case Planner first and then, the Hearing Officer who acted on this case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **By Appointment Only**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Aileen Babakhani during normal business hours at her direct line (818) 937-8331 or ababakhani@glendaleca.gov, between 8:30 a.m. to 5:30 p.m. weekdays.

Sincerely,



Laura Stotler
Planning Hearing Officer

LS:AB:sm

cc: City Clerk (K.Cruz); Police Dept. (A.Jenks/Z.Avila); City Attorney's Dept. (G. Van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Traffic & Transportation Section (P.Casanova); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin); Glendale Water & Power--Electric Section (B. Alshanti/B.Ortiz/E.Olsen); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (R.Sada/J.Jouharian/); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove/T.Dodson); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna);and case planner –Aileen Babakhani.